

Message Text

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PAGE 01 BRASIL 05020 172048Z

ACTION ARA-14

INFO OCT-01 ISO-00 L-03 DHA-02 CIAE-00 DODE-00 INR-07

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FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC 2305

INFO AMCONSUL SAO PAULO

LIMITED OFFICIAL USE BRASILIA 5020

E.O. 11652: N/A

TAGS: PINS SHUM BR

SUBJECT: TRIAL OF MARIA NILDE MACELANI

REF: STATE 138483

1. EMBASSY INFORMATION ON MACELANI CASE IS LIMITED TO PRESS ACCOUNTS OF TRIAL. PRESS REPORTED JUNE 7 THAT JUDGES OF SECOND AUDITORIA DE GUERRA (MILITARY COURT) IN SAO PAULO HAD UNANIMOUSLY ACQUITTED MS. MACLANI, JOURNALIST DERMI AZEVEDO, AND SECRETARY DARCY ANDOZIA AZEVEDO, OF SUBVERSION CHARGES STEMMING FROM AN INDICTMENT UNDER THE NATIONAL SECURITY LAW IN 1974. MS. MACELANI, WHO REPORTEDLY HAS BEEN RETIRED COMPULSORILY FROM THE TEACHING PROFESSION BY USE OF AI-5 WAS ACCUSED OF HAVING SUPERINTENDED HER CO-DEFENDENTS IN THE PREPARATION OF A WORK ENTITLED, "CIVIL AND MORAL EDUCATION AND GROWING FASCISM IN BRAZIL."

2. IN ITS VERDICT, PUBLISHED IN FULL BY PRESS, THE COURT FOUND THAT THE WORK WAS CLEARLY SUBVERSIVE, AND TOOK NOTE OF WHAT IT CLAIMED WERE AFFIRMATIONS IN TESTIMONY BY MS MACELANI HERSELF THAT HER OBJECT WAS TO PROMOTE THE OVERTHROW OF THE REGIME AND ITS REPLACEMENT BY WHAT SHE TERMED "AUTHENTICALLY ROOTED LATIN AMERICAN SOCIALISM."

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HOWEVER, THE COURT DECLARED THAT CONVICTION UNDER NATIONAL SECURITY LAW REQUIRES THAT THE SUBVERSIVE MATERIAL INVOLVED ACTUALLY BE DISSEMINATED. IN THE ABSENCE OF ANY EVIDENCE OF SUCH DISTRIBUTION IN THIS CASE, THE COURT DISMISSED CHARGES AGAINST ALL THREE DEFENDENTS. CRIMMINS

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Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
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